

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER SETTING DEADLINE FOR THE SUBMISSION OF FURTHER
DOCUMENTATION AND SUPPLEMENTAL BRIEFING IN CONNECTION WITH
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO'S
MOTION TO AMEND ALTERNATIVE DISPUTE RESOLUTION PROCEDURES

The Court has received and reviewed the *Notice of Filing of (a) Revised Proposed Order Granting Motion of the Financial Oversight and Management Board for Puerto Rico to Amend Alternative Dispute Resolution Procedures and (b) Supplemental Documentation* (Docket Entry No. 23009 in Case No. 17-3283) (the "Notice"), filed by the Financial Oversight and Management Board for Puerto Rico (the "Oversight Board"). On December 1, 2022, the Court directed the Oversight Board to file supplemental documentation in support of the *Motion of the Financial Oversight and Management Board for Puerto Rico to Amend Alternative Dispute Resolution Procedures* (Docket Entry No. 22936 in Case No. 17-3283), including "a redlined version of the ADR Procedures Order with the proposed amendments." (Docket Entry No. 22951 in Case No. 17-3283.) Exhibit 1 of the Notice does not appear to provide a redlined version of the *Order (A) Authorizing Alternative Dispute Resolution Procedures, (B) Approving*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Additional Form of Notice, and (C) Granting Related Relief (Docket Entry No. 12576 in Case No. 17-3283) (the “ADR Procedures Order”).² Accordingly, the Oversight Board is directed to submit a corrected redlined version of the ADR Procedures Order that reflects all proposed amendments by **December 10, 2022, at 5:00 p.m. (Atlantic Standard Time)**.

Additionally, the Oversight Board shall file a supplemental brief by **December 10, 2022, at 5:00 p.m. (Atlantic Standard Time)** addressing (i) the reason for proposing to proceed to an evaluative mediation process with respect to claimants who have been entirely nonresponsive rather than seeking permission to remove such claims from the ADR process prior to evaluative mediation, and (ii) whether the Oversight Board intends to utilize the proposed ADR Procedures for administrative expense claims asserted against all Title III debtors and, if so, whether the definition of “administrative expense claim” should be incorporated in the proposed order rather than supplied by reference to provisions of specific plan(s).

SO ORDERED.

Dated: December 8, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

² Instead, as far as the Court can surmise, the Oversight Board appears to have submitted a redlined version of a prior iteration of the procedures filed at Docket Entry No. 9718 in Case No. 17-3283.